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Patent Application
Docket No. SPO-124

October 10, 2007

David Saliwanchik
David R. Saliwanchik, Patent Attorney

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Tadao Saito, Takeshi Shimosato, Haruki Kitazawa
Serial No. : 10/561,022
Filed : December 16, 2005
Conf. No. : 5950
For : Use of Toll-Like Receptor-Expressing Cells

Office of Initial Patent Examination's Filing Receipt Corrections
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR CORRECTION OF FILING RECEIPT

Sir:

The applicants respectfully request the correction of a clerical error in the Filing Receipt for the above-identified patent application. The correction needed is as follows:

Title

Utilization of Cell Forcibly Expressing Toll-Like Receptor;

Should Read:

Use of Toll-Like Receptor-Expressing Cells

Attached herewith is a marked-up copy of the Filing Receipt indicating the correction needed. Please correct the title as indicated on page 2 of the Preliminary Amendment dated December 16, 2005, and on page 1 of the executed Declaration/Power of Attorney form dated March 5, 2007.

Correction of the above is respectfully requested.

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§1.16 or 1.17 as required by this paper to Deposit Account No. 19-0065.

Respectfully submitted,



David R. Saliwanchik
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DRS/wrc

Attachments: Copy of marked-up version of Filing Receipt with indicated correction requested;
Copy of page 2 of the Preliminary Amendment dated December 16, 2005;
Copy of page 1 of the executed Declaration/Power of Attorney form.



UNITED STATES PATENT AND TRADEMARK OFFICE

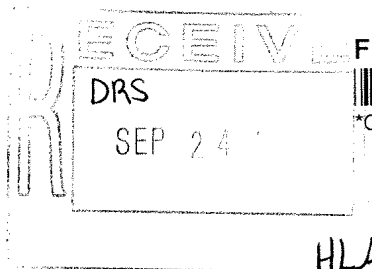
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APPL NO.	FILING OR 371(c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	TOT CLMS	IND CLMS
10/561,022	03/08/2007	1653	1230	SPO-124	18	4

CONFIRMATION NO. 5950

23557

SALIWANCHIK LLOYD & SALIWANCHIK
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 GAINESVILLE, FL 32614-2950



FILING RECEIPT



OC000000025914632

Date Mailed: 09/21/2007

Receipt is acknowledged of this nonprovisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).**

Applicant(s)

Tadao Saito, Miyagi, JAPAN;
 Takeshi Shimosato, Miyagi, JAPAN;
 Haruki Kitazawa, Miyagi, JAPAN;

Power of Attorney: The patent practitioners associated with Customer Number 23557.

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/JP04/02920 03/05/2004

Foreign Applications

JAPAN 2003-172132 06/17/2003

If Required, Foreign Filing License Granted: 09/19/2007

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/561,022**

Projected Publication Date: 12/27/2007

Non-Publication Request: No

Early Publication Request: No

Title

use of Toll-Like Receptor-Expressing Cells
~~Utilization of Cell Forceibly Expressing Toll-Like Receptor~~

Preliminary Class

435

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

LICENSE FOR FOREIGN FILING UNDER

Title 35, United States Code, Section 184

Title 37, Code of Federal Regulations, 5.11 & 5.15

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under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

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NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

December 16, 2005

Patent Application
Preliminary Amendment
Docket No. SPO-124

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Tadao Saito, Takeshi Shimosato, Haruki Kitazawa

Docket No. : SPO-124

For : Utilization of Cell Forcibly Expressing Toll-Like Receptor

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PRELIMINARY AMENDMENT

This application is a National Stage Application of International Application Number PCT/JP2004/002920. Please amend the above-identified patent application as follows:

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims beginning on page 11 of this paper.

Remarks/Arguments follow the amendment sections of this paper.

In the Specification

Please amend the title of the International Patent Application to read as follows:

~~UTILIZATION OF CELL FORCIBLY EXPRESSING TOLL-LIKE RECEPTOR~~
USE OF TOLL-LIKE RECEPTOR-EXPRESSING CELLS

Please add the following paragraph at page 1, above line 5 after the Title:

This application is a National Stage Application of International Application Number PCT/JP2004/002920, filed March 5, 2004; which claims priority to Japanese Application 2003-172132, filed June 17, 2003.

Please amend the specification at page 1 (Technical Field), line 6 as follows:

The present invention relates to use of cells ~~forced to express~~ expressing a Toll-like receptor.

Please amend the paragraph at page 1, lines 22-25 as follows:

Previous studies have reported the effect of lipopeptides on the expression activity of NF- κ B in human TLR2-expressing CHO cells ~~that were forced to express human TLR2~~, as well as the effect of various CpG DNA motifs derived from pathogenic E. coli on cytokine (IL-8) yield in human TLR9-expressing HEK293 cells ~~that were forced to express human TLR9~~ (Non-Patent Documents 3 to 5).

Please amend the paragraphs beginning at page 2, line 17 through page 3, line 33 as follows:

In the development of functional food products, it is necessary to evaluate their ultimate effects on human, and for obtaining basic findings, investigation using experimental animals and animal cells is essential. To this end, the present invention focused on pigs as an

DECLARATION (37 C.F.R. § 1.63) AND POWER OF ATTORNEY

As a below-named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name; and

I believe that I am the original, first, and sole inventor (if only one name is listed below), or an original, first, and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **USE OF TOLL-LIKE RECEPTOR-EXPRESSING CELLS** (as amended), specification for which

☐ is attached hereto.

☒ was filed March 5, 2004 as International Application No. PCT/JP2004/002920

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 (a).

I hereby claim foreign priority benefits under Title 35, United States Code §119 and/or §365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Application Serial No.	Country	Filing Date	Priority Claimed
2003-172132	JP	June 17, 2003	Yes

I hereby claim priority benefits under Title 35, United States Code §119 of any provisional application(s) for patent listed below:

Application Serial No.	Filing Date	Priority Claimed
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I hereby claim the benefit under Title 35, United States Code, §120 and/or §365 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.	Filing Date	Status (Patented, Pending, Abandoned)
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.